UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,963	07/10/2001	William G. Sample	H0001394	9212

128   7590   10/09/2007
HONEYWELL INTERNATIONAL INC.
101 COLUMBIA ROAD
P O BOX 2245
MORRISTOWN, NJ 07962-2245

EXAMINER
ADDY, THJUAN KNOWLIN

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
10/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 July 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>See Continuation Sheet</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>48-50,52,58-60,62,63,66,67,69 and 70</u> is/are allowed.

6)☒ Claim(s) <u>1,3-5,10,12-14,17-19,21,22,24,25,29-32,36-39,41-43,46,47 and 73</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>10 July 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Continuation of Disposition of Claims: Claims pending in the application are 1,3-5,10,12-14,17-19,21,22,24,25,29-32,36-39,41-43,46-50,52,58-60,62,63,66,67,69,70 and 73.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment filed on July 20, 2007 has been entered. Claims 1, 10,

12-14, 17-19, 21, 22, 24, 25, 31, 36, 39, 41-43, 46-48, 52, 59, 62, 63, 66, 69, and 70

have been amended. Claims 2, 6-9, 11, 15, 16, 20, 23, 26-28, 33-35, 40, 44, 45, 51,

53-57, 61, 64, 65, 68, 71, and 72 have been cancelled. No claims have been added.

Claims 1, 3-5, 10, 12-14, 17-19, 21, 22, 24, 25, 29-32, 36-39, 41-43, 46-50, 52, 58-60,

62, 63, 66, 67, 69, 70, and 73 are now pending in this application, with claims 1, 10, 19,

25, 31, 39, 48, 59, and 66 being independent.

Allowable Subject Matter

2.   Claims 48-50, 52, 58-60, 62, 63, 66, 67, 69, and 70 are allowed.

3.   The following is an examiner's statement of reasons for allowance: The

invention as now claimed is not disclosed nor rendered obvious in view of the prior art of

record. As to independent claims 48, 59, and 66, the prior art of record fails to teach or

suggest, alone or in combination, the recited Morse radio frequency signal identifier

decoder and method comprising a circuit structured to generate a display signal as a

function of a determination of the signal energy in the detected Morse radio frequency

signal identifier relative to the threshold estimate of the signal energy in the predicted

Morse code radio frequency identifier, wherein the display signal is a signal that

identifies one of the detected Morse radio frequency signal identifier corresponding to

the predicted Morse code radio frequency identifier, and the detected Morse radio

frequency signal identifier diverging from the predicted Morse code frequency identifier,

and wherein the display signal that identifies that the detected Morse radio frequency

signal identifier diverging from the predicted Morse code radio frequency identifier

further identifies one of that a Morse radio frequency signal identifier was not detected,

and that the detected Morse radio frequency signal identifier does not correspond to the

predicted Morse code radio frequency identifier. No prior art was found that discloses

or teaches the limitations of claims 48, 59, and 66.

4.   Claims 49, 50, 52, 58, 60, 62, 63, 67, 69, and 70 are dependent upon claims 48,

59, and 66, respectively, therefore, claims 49, 50, 52, 58, 60, 62, 63, 67, 69, and 70 are

allowed.

5.   Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 3-5, 10, 12-14, 17-19, 21, 22, 24, 25, 29-32, 36-39, 41-43, 46, 47, and

73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henderson (US

4,212,067), in view of Johns et al. (US 4,621,252).

7.   In regards to claims 1, 10, 19, 25, 31, 36, 39, Henderson discloses a device and

method comprising: a database (See Fig. 1, random access memory (RAM) 37 and Fig.

6, RAM 153) of stored radio frequency identifiers and radio frequency information (See

Abstract and col. 3-4 lines 63-5) corresponding thereto; and a processor (See Fig. 1 and

central processing unit/processor 31) coupled to the database and operating one or

more algorithms for comparing a decoded radio frequency identifier and a comparison

radio frequency identifier selected from the stored radio frequency identifiers in the

database and for generating a display (Fig. 1 and keyboard & display interface 45)

signal based on the comparison; and wherein the database of stored radio frequency

identifiers is accessed as a function of a radio frequency signal and a position signal

indicative of a location of the device (See col. 2 lines 5-34, col. 10 lines 29-51 and col.

13-14 lines 47-11). Henderson, however, does not disclose wherein the display signal

is one of a signal indicative of a correspondence and a divergence between the

decoded radio frequency identifier and the comparison radio frequency identifier; and a

display coupled to the processor and the database, the display structured to display the

radio frequency information in response to the display signal indicative of a

correspondence between the decoded radio frequency identifier and the comparison

radio frequency identifier, the display further structured to display caution information in

response to the display signal indicative of a divergence between the decoded radio

frequency identifier and the stored radio frequency identifier. Johns, however, does

disclose wherein the display signal (e.g., warning signal/alarm device) is one of a signal

indicative of a correspondence and a divergence between the decoded radio frequency

identifier (e.g., decoded radio signal) and the comparison radio frequency identifier

(e.g., stored/pre-stored radio signal) (See Abstract and col. 2 lines 1-36); and a display

coupled to the processor and the database, the display structured to display the radio

frequency information in response to the display signal (e.g., warning signal) indicative

of a correspondence between the decoded radio frequency identifier and the

comparison radio frequency identifier, the display further structured to display caution

information (for example, the caution information may simply be the lamp/warning light

of different colors) in response to the display signal indicative of a divergence between

the decoded radio frequency identifier and the stored radio frequency identifier (See col.

7 lines 10-14 and col. 7 lines 40-52). Therefore, it would have been obvious for one of

ordinary skill in the art at the time of the invention to incorporate these features within

the device, as a way of providing an indication of conditions to be expected to be

encountered by a vehicle at a location to which the vehicle may travel, which consist of

transmitting a signal from the vicinity of the location, the signal containing information as

to the conditions, detecting the signal with a detector on the vehicle, and as the vehicle approaches the location, causing an alarm/warning to be raised and/or safety apparatus to be operated in the event that the signal is indicative of existence of a particular condition at the location.

8.   In regards to claim 3, Henderson discloses the device, further comprising a memory device (See Fig. 1 and RAM 37) having the database stored therein (See col. 3-4 lines 63-5).

.9.   In regards to claim 4, Henderson discloses the device, wherein the one or more algorithms operated by processor includes one or more algorithms for generating the decoded radio frequency identifier by decoding a code radio frequency identifier (See col. 10 lines 40-51 and col. 13-14 lines 59-11).

10.   In regards to claims 5, 14, 38, and 43, Henderson discloses the device and method, wherein the coded radio frequency identifier is coded in Morse (See Abstract and col. 13-14 lines 68-3). `

11.   In regards to claims 12, 17, 32, 41, and 46, Henderson discloses the device and method, wherein the means for interrogating the storing means as a function of the predetermined radio frequency to select radio frequency information includes means for interrogating the storing means as a function of a position signal to select the radio frequency information (See col. 2 lines 28-34 and col. 2 lines 50-62).

12.   In regards to claim 13, Henderson discloses the device, further comprising means for decoding a coded radio frequency signal identifier to determine the decoded radio frequency identifier (See col. 13-14 lines 68-3).

13.   In regards to claim 18, Henderson discloses the device, wherein the means for displaying the selected radio frequency information includes displaying the selected radio frequency information as a function of the comparison signal (See col. col. 5 lines 20-44).

14.   In regards to claim 21, Henderson discloses the device, wherein the signal indicative of a divergence between the decoded identifier and the selected one of the radio frequency identifiers is one of a signal indicative of no identifier being decoded and a decoded identifier that does not correspond to the selected one of the radio frequency identifiers (See col. 5 lines 20-44).

15.   In regards to claim 22, Henderson discloses the device, wherein the display is structured to display the radio frequency information corresponding to the selected one of the radio frequency identifiers in response to the signal indicative of a correspondence between the decoded identifier and the selected one of the radio frequency identifiers (See col. 5 lines 20-44).

16.   In regards to claim 24, Henderson discloses the device, further comprising a radio frequency input device coupled to the first input of the display for inputting the radio frequency control signal (See Fig. 1 and keyboard 43) (See col. 4 lines 9-17).

17.   In regards to claim 29, Henderson discloses the method, further comprising entering the radio frequency control signal (See col. 4 lines 9-17).

18.   In regards to claims 30, 37, and 42, Henderson discloses the method and decoder, wherein the received radio frequency signal is a coded signal; and further comprising decoding the coded signal (See col. 13-14 lines 68-3).

19.   In regards to claim 47, Henderson discloses the method, further comprising

displaying (via keyboard & display interface 45) the selected radio frequency

information as a function of the comparison signal (See col. 7 lines 1-9).

20.   In regards to claim 73, Henderson discloses the device, wherein the database

and processor are configured to be mobile (See col. 1 lines 5-11 and col. 7 lines 1-9).

Response to Arguments

21.   Applicant's arguments with respect to claims 1, 3-5, 10, 12-14, 17-19, 21, 22, 24,

25, 29-32, 36-39, 41-43, 46-50, 52, 58-60, 62, 63, 66, 67, 69, 70, and 73 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

22.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-

7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

23.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

24.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thjuan K. Addy
Patent Examiner
AU 2614